



Board of Adjustment Case Report

City of Raleigh
Planning & Development Department
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2475
www.raleighnc.gov

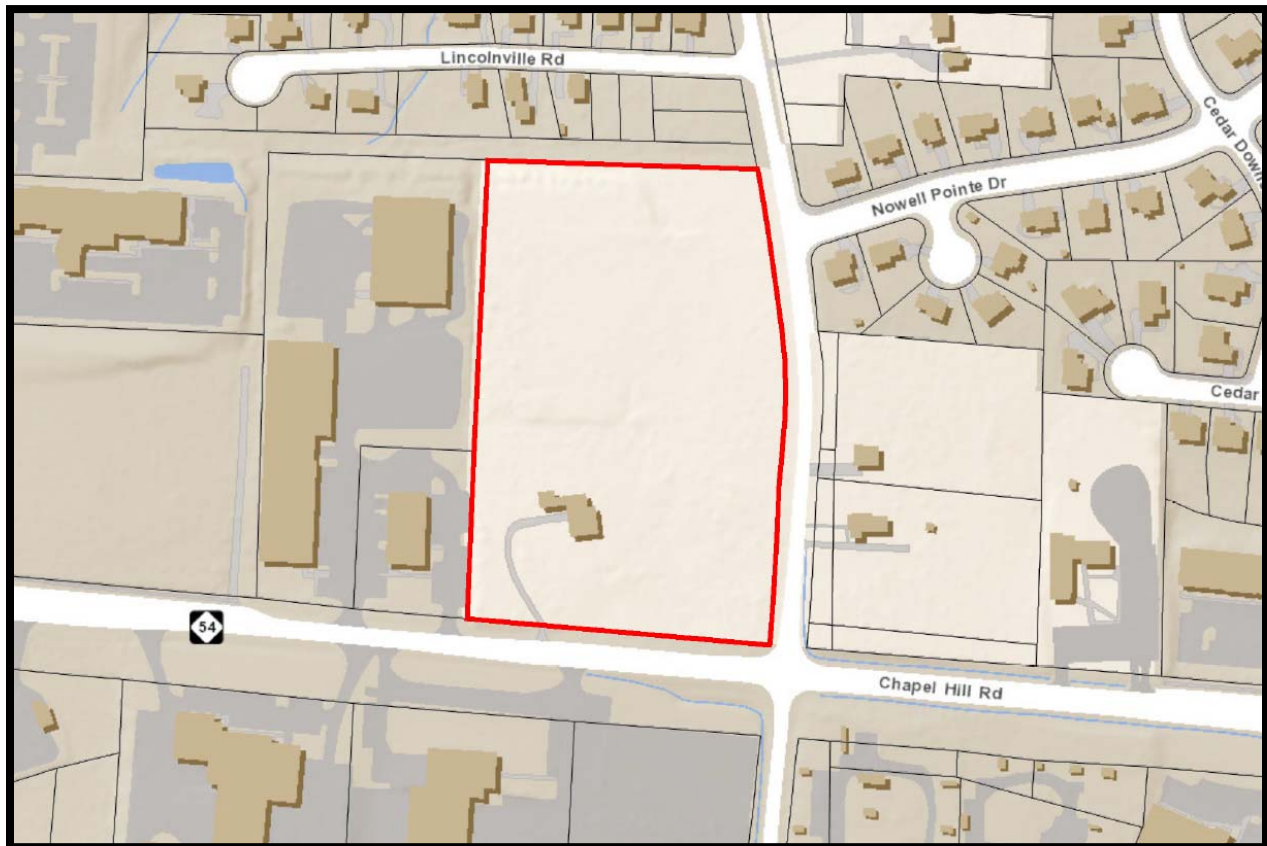
Case File: A-31-17

Property Address: 6500 Chapel Hill Road

Property Owner: Moshakos Real Estate, LLC

Project Contact: Chris Moutos

Nature of Case: Request for a special use permit to operate an Urban Farm pursuant to Sections 6.6.1.E. and 10.2.9. of the Unified Development Ordinance on an 8.13 acre parcel zoned Commercial Mixed-Use-3-Parking Limited and located at 6500 Chapel Hill Road.



6500 Chapel Hill Road – Location Map

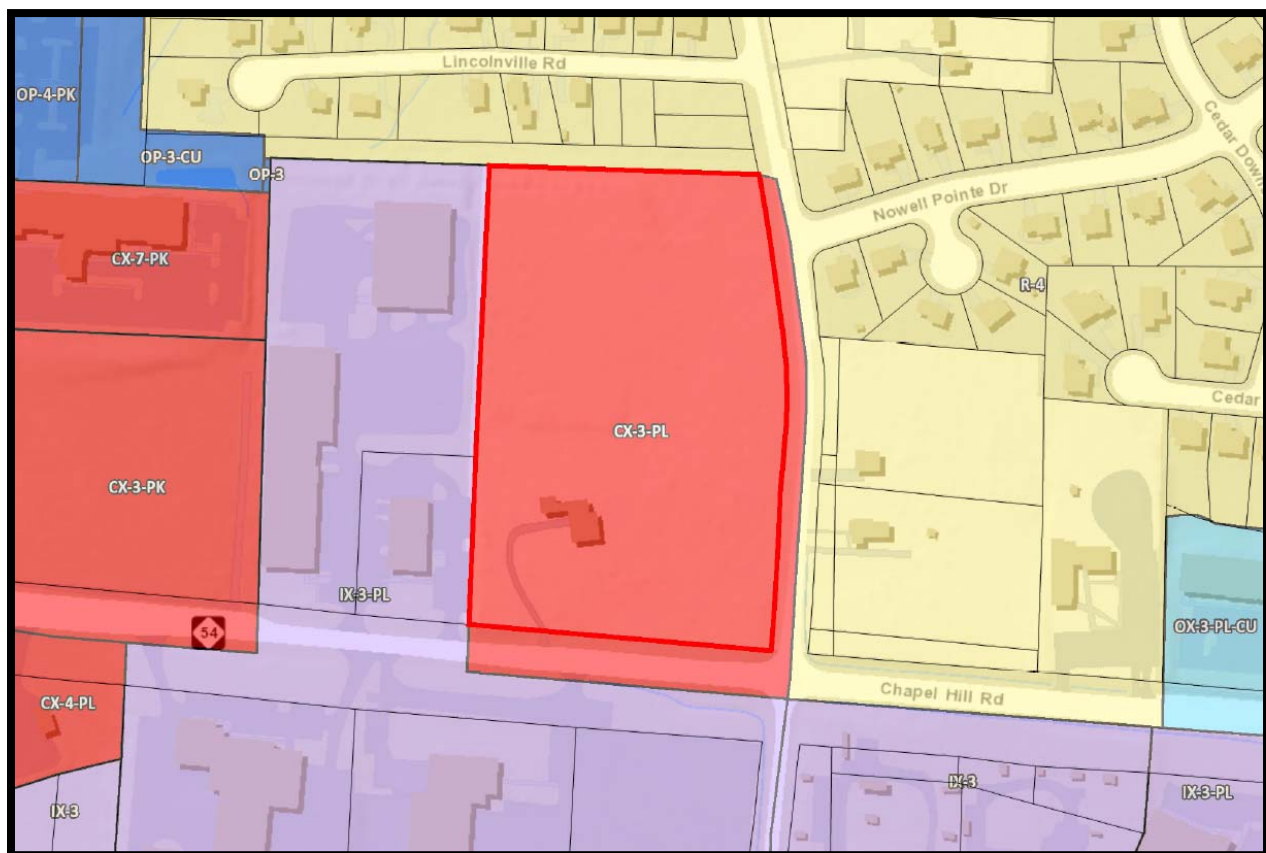
**ADDITIONAL
NOTES:** None

**PREVIOUS
VARIANCES:** None

To BOA: 3-13-17

Staff Coordinator: Eric S. Hodge, AICP

Zoning District: Commercial Mixed-Use-3-Parking Limited



6500 Chapel Hill Road – Zoning Map

SHOWINGS: In accordance with UDO §10.2.9 Special Use Permit, before a Special Use Permit request is granted, the Board of Adjustment shall show that all of the following are met:

1. The proposed use complies with all applicable provisions of this UDO unless otherwise expressly modified in accordance with this UDO;
2. The proposed use is allowed as a special use in the respective zoning district (see Chapter 6).

Use Regulations);

3. The proposed use complies with any specific use standard listed in Chapter 6. Use Regulations without the granting of any variance to the specific use standard;
4. The proposed use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics;
5. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset or the special use is denied;
6. Access with respect to pedestrian, bicycle and automotive safety, traffic flow and emergency service is adequate;
7. Signage is suitable and appropriate; and
8. Any appropriate dedications of streets and utilities to the public will be made prior to the issuance of a building permit.

Sec. 6.6.1.E.. Urban Farm

1. Defined

The raising and harvesting of trees (excluding forestry), vines, seeds, plants and crops, as well as the keeping, grazing or feeding of animals (including fish) for animal products, animal propagation, or value increase when located in an urbanized (developed) area. An urban farm may be owned by an individual, group or organization and may include intensive agriculture, typical large-scale farm equipment, and animal husbandry.

Special Use Permit Application

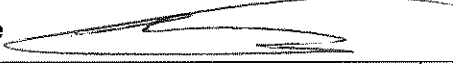
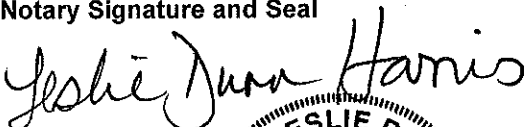



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Nature of request (Submit addendum on separate sheet, if more space is needed.) This parcel is currently undeveloped. Adjacent to properties we currently own at 6510, 6512 and 6514 Chapel Hill Road. We would like to utilize approximately 2 acres for the purpose of gardening, to wit: growing tomatoes and possibly other vegetables and/or herbs.	OFFICE USE ONLY Transaction Number A-31-17
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous special use permit request, provide the case number. n/a	

GENERAL INFORMATION		
Property Address 6500 Chapel Hill Rd		Date 01/06/2017
Property PIN 0774824927	Current Zoning CX-3-PL	
Nearest Intersection Nowell Rd	Property size (in acres) 8.13	
Property Owner Moshakos Real Estate	Phone 919-851-0858	Fax 919-851-0857
Owner's Mailing Address 6510 Chapel Hill Rd, Raleigh NC 27607		
Email cmoutos@lmrest.com		
Project Contact Person Chris Moutos	Phone 919-851-0858	Fax 919-851-0857
Contact's Mailing Address 6510 Chapel Hill Rd, Raleigh NC 27607		
Email cmoutos@lmrest.com		
Property Owner Signature 		
Notary Sworn and subscribed before me this <u>6th</u> day of <u>January</u> , 20 <u>17</u>		Notary Signature and Seal   Comm expires <u>4-14-2018</u>

It is improper to contact any member of the Board of Adjustment prior to the disposition of a Special Use Permit Application. A Special Use Permit Application will not be considered complete until all required submittal components listed on the Special Use Permit Checklist have been received and approved.



6510 Chapel Hill Rd Suite 200 • Raleigh, NC • 27607 • 919.851.0858 • 919.851.0857 fax

January 23, 2017

Board of Adjustment
Attn: Mr. Eric Hodge
Via Hand Delivery

Re: Special Use Permit – for a portion of 6500 Chapel Hill Rd, Raleigh NC

Dear Mr. Hodge:

On behalf of Moshakos Real Estate LLC, we are applying for a special use permit regarding the above-referenced property. The PIN number is 0774824927 with a zoning designation of CX-3-PL.

The property for which the special use permit being requested is unimproved and is contiguous to other property owned by our subsidiaries.

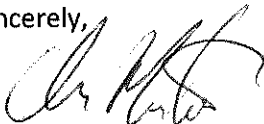
We are requesting the ability to plant tomatoes and possibly other vegetables on approximately two (2) acres of the parcel. We anticipate that we will erect two (2) small greenhouses which will not be on permanent foundations.

Our company manages and owns several restaurant brands and we want to establish this small urban farm in order to provide our restaurants with the freshest vegetables possible for use on some of our menu items at Carolina Ale House, Taverna Agora, Vidrio and possibly our other brands.

This small urban farm will be privately operated. It shall remain private property and not open to the public. We will properly secure the area. We will have means of egress and regress as indicated on the attached survey.

Please do not hesitate to contact me should you have any questions or need further information.

Thanking you in advance for your consideration, I am

Sincerely,


Chris Moutos





1. Army by Coordinate Method
2. Paired Horizontal Control Stations; hand width 2000 feet.
3. All bearings, surface and subsurface measurements are not necessarily corrected for magnetic declination.
4. New Measurements in 1/4° corner trip after where applicable noted
5. All distances are measured ground distances in U.S. survey feet.
6. This survey was performed without the benefit of title examination and is subject to any document of record which may affect subject property.

The subject property area is within a Special Order Mineral Area as depicted on the Federal Inheritance Map for the Town community located in the Township of Franklin, County of Franklin, State of Missouri. The subject property is located within the Federal Inheritance Map No. 722007-4900 Parcel line 277A, bearing an effective date of May 2, 2028.

Subject Property Zone C-3-A-1. (Commentation last line 2.)

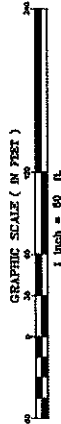
Surveyor's Certificate

State of North Carolina

- [illegible]

William D. Puckett L-2883

CURVE TABLE						
CURVE	LENGTH	RADIUS	BEARING	CHORD	TANGENT	DELTA
1	474.80	1735.25	N07°42'51"W	473.12	238.83	135°03'18"



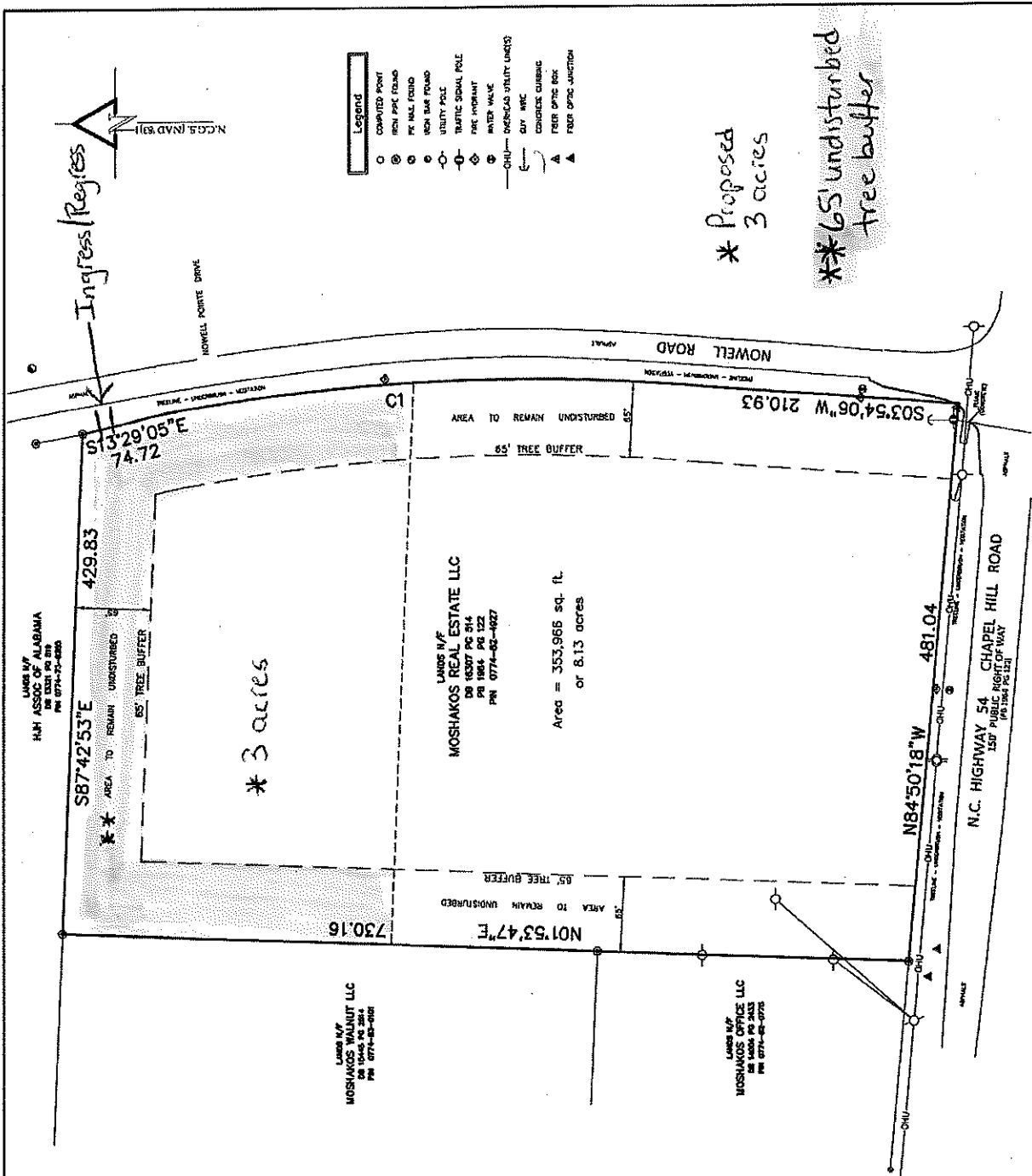
<p><u>References</u></p> <p>DB 16307 PC 514</p>	<p>S.D. PUCKETT & ASSOCIATES P.C.</p> <p>PROFESSIONAL LAND SURVEYORS</p>
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5314 HWY. 55, Suite 104
Durham, N.C. 27713
Phone (919) 544-7717 • Fax (919) 544-1274
Stephen D. Puckett - ASPUS 1-2683
spuckett@puckettzurvey.com

Scale: 1" = 60'	Drawn by: WAR	Surveyed by: JLC
County: Wake	Township: Meredith	State: North Carolina

BOUNDARY SURVEY
6500 Chapel Hill Road
RALEIGH, NORTH CAROLINA 27607

Date: January 18, 2017	Sheet 1 of 1
File: W:\R\170118\dwg\6500 Chapel Hill Road	



0774824927
MOSHAKOS REAL ESTATE LLC
6510 CHAPEL HILL RD
RALEIGH NC 27607-5010

0774736285
HJH ASSOC OF ALABAMA
4030 JOHNS CREEK PKWY
SUWANEE GA 30024-1254

0774820775
MOSHAKOS OFFICE LLC
5404 HILLSBOROUGH ST
RALEIGH NC 27606-1339

0774827630
CAIN, GUSSIE CAIN, PHYLLIS F
710 NOWELL RD
RALEIGH NC 27607-5126

0774827733
FOURIE PROPERTIES LLC
6400 OLD JENKS RD
APEX NC 27523-8248

0774827847
CAIN, WALKER HEIRS
710 NOWELL RD
RALEIGH NC 27607-5126

0774828986
CAIN, PHYLLIS F
710 NOWELL RD
RALEIGH NC 27607-5126

0774829518
CAIN, GUSSIE H CAIN, PHYLLIS F
710 NOWELL RD
RALEIGH NC 27607-5126

0774829712
CAIN, GUSSIE H CAIN, PHYLLIS F
710 NOWELL RD
RALEIGH NC 27607-5126

0774830101
MOSHAKOS WALNUT LLC
6510 CHAPEL HILL RD
RALEIGH NC 27607-5010

0774831465
EVANS, DAVID EARL
6525 LINCOLNVILLE RD
RALEIGH NC 27607-5050

0774832456
GUPTA, SANJAI K.
3316 BOULDER CT
RALEIGH NC 27607-3111

0774833426
WRIGHT, REGINALD M
2310 S MIAMI BLVD STE 131
DURHAM NC 27703-5799

0774833481
SHAW, DOROTHY W
ERVIN C SHAW
1218 PERDIDO CT
GARNER NC 27529-4614

0774834436
CREECH, CATHY RICHARDS
8409 CUNNINGHAM RD
ZEBULON NC 27597-8365

0774835461
SHAW, JULIUS HRS
% WILLIE SHAW
1004 HADLEY RD
RALEIGH NC 27610-4829

0774835476
SHAW, GWENDOLYN
117 LONGNEEDLE CT
RALEIGH NC 27603-3895

0774837045
BROWN, JOHN E BROWN, PAULA L
740 LOCH HIGHLANDS DR
RALEIGH NC 27606-8431

0774837176
SNIDER, ROBERT G SNIDER, JOANNE F
6425 NOWELL POINTE DR
RALEIGH NC 27607-5156

0774837364
THAI, DINH N LAN, LE T
6424 NOWELL POINTE DR
RALEIGH NC 27607-5150

0774837421
THAI, DINH N LAN, LE T
6424 NOWELL POINTE DR
RALEIGH NC 27607-5150